

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:05-CR-00025-F-1

UNITED STATES OF AMERICA)	
)	
v.)	ORDER
)	
WADE TEMPLE HANKINS)	
)	

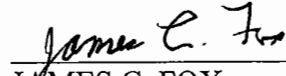
This matter is before the court on Defendant Wade Temple Hankins's Motion to Amend Sentence [DE-80]. Mr. Hankins asks the court to amend his federal revocation sentence from "consecutive to any state sentence" to "concurrent to any state sentence."

Mr. Hankins suffers from advanced end-stage pancreatic cancer and requires end-of-life care. He is currently serving a state sentence of incarceration, to be followed by a federal revocation sentence. Mr. Hankins wishes to have his federal detainer removed, allowing the State to release him to the care of his sister, who has agreed to arrange his hospice care.

Unfortunately, this court lacks authority to grant Mr. Hankins's request. The type of amendment Mr. Hankins seeks must be initiated by motion of the Director of the Bureau of Prisons. *See* 18 U.S.C. § 3582(c)(1). The court is cognizant of and sympathetic to the difficulty Mr. Hankins faces as a state prisoner whose relief can only come from the federal Bureau of Prisons. Nonetheless, because the court is without power to grant Mr. Hankins's Motion to Amend Sentence [DE-80], it must be DENIED.

SO ORDERED.

This the 18 day of February, 2016.



JAMES C. FOX
Senior U.S. District Judge